

**Sewage Handling and Disposal Regulations Advisory Committee Meeting
along Authorized Onsite Soil Evaluators
DRAFT Minutes
September 12, 2008**

Members Present: John Harper, Reed Barrows (alternate for Marcia Degen, Department of Environmental Quality), James Hall, Raymond Freeland, R. V'lent Lassiter, Bill Keeling, Don Alexander, Tom Basham, Amy Pemberton, (alternate for Pam Pruett, Virginia Environmental Health Association), Mike Lynn, Bill Timmins, Joel Pinnix

Visitors Present: Bob Mayer, American Manufacturing; Tim Smith, Onsite Solutions; John Schofield and Allen Knapp, VDH.

Video Conference Sites: Loudoun, Piedmont, Three Rivers (Richmond Co).

Meeting called to order at 10:10 AM.

Administration

Don Alexander makes a motion to accept the agenda for the 9/12/08 meeting.
Bill Keeling seconds the motion.
The motion is passed.

Tom Basham introduces Raymond Freeland, Reed Barrows and Amy Pemberton to the committee.

A discussion proceeded regarding the minutes of the 8/8/08 meeting. A typographical error was removed from page 2. The last sentence from page 3 was stricken.
Mike Lynn makes a motion to accept the minutes from the 8/8/08 meeting.
John Harper seconds the motion.
The motion is passed.

Old Business

Committee Rules Subcommittee Report

Joel Pinnix reported that the Committee Rules Subcommittee may have a draft for review by the next meeting. All suggestions concerning the Rules Subcommittee should be emailed to Joel Pinnix. Joel Pinnix suggested that a list be created of the subcommittee members and who they represent.

Sewage Handling and Disposal Regulations

Tom Basham asked if the intent was to have the Sewage Handling and Disposal Regulations completed by 7/1/09. Don Alexander stated that no deadline had been set at this time. When the Notice of Intended Regulatory Action (NOIRA) is approved, the

Virginia Department of Health (VDH) has 180 days to present a regulation. The focus is on writing a regulation as quickly and as competently as possible. Tom Basham asked if the Operation and Maintenance (O&M) should be written first. Don Alexander stated that VDH was pushing up the time frame for O&M. Joel Pinnix stated that the rewrite of the regulations is questionable. Trying to rewrite the regulations is a daunting task. Since localities are developing O&M ordinances, VDH's focus should be to put O&M first. Mike Lynn stated that O&M should be completed first. The discussion continued surrounding why to write O&M first. Tom Basham asked if the Virginia Onsite Wastewater Recycling Association (VOWRA) could help in writing the O&M. Bob Mayor asked if the O&M was separate from the Sewage Handling and Disposal Regulations. Don Alexander stated no. The NOIRA groups O&M as part of the Sewage Handling and Disposal Regulations. Tom Basham asked if the Committee should have a goal, set a target date, to complete the Sewage Handling and Disposal Regulations. Joel Pinnix said no. It is up to VDH to set the schedule on rewriting the regulations. Tom Basham stated that our industry needs resolution on the rewrite of the regulation. Tom Basham asked if a target date could be set. Don Alexander stated that there are many pieces to writing regulations. Don Alexander estimates that VDH is half way in completing the regulations rewrite. There was more explanation and discussion of what steps are involved in writing regulations and that VDH is making progress. Tom Basham stated that the committee decided to meet monthly to review the regulations and he had assumed that there was a 7/1/09 deadline. Bill Keeling asked if it would be beneficial for a subcommittee to meet via teleconference to help in the rewriting of the regulations. Don Alexander explained the process of how the regulations were being written in different parts by different staff and then vetted internally before being brought to the committee for review. Don Alexander stated that each member of the committee should be discussing the draft regulation with the groups they represent.

Residuals Management

Bill Keeling asked how the Department of Conservation and Recreation (DCR) fit in with residuals management. The committee discussed what residuals were, ex: sewage pump, broken pipe, clothing, soil, screenings, grit, etc. and the risk to public health associated with the residuals. There was discussion concerning the four categories and if they were aligned with the Department of Environmental Quality (DEQ). Bob Mayor asked should Sewage Handlers be regulated to handle residuals safely. Tom Basham asked if VDH should address residuals as proposed in the four categories. Joel Pinnix stated that instead of the committee reviewing VOWRA's recommendations, VDH should use the document to aid in writing the regulations.

Joel Pinnix makes a motion that VDH staff considers the white paper by VOWRA titled "Residuals Management" when writing the corresponding section of the regulations.

John Harper seconds the motion.

Discussion continued concerning VOWRA's white paper including recommendation 5 and 8. Don Alexander asked about VOWRA writing this part of the regulations.

The motion is passed.

Mike Lynn stated DEQ could not mandate that municipalities include septage as part of what their wastewater treatment plants have to receive.

11:20 AM – 10 minute break

Collection and Conveyance

John Schofield commented that this section was written only for community systems and that the information was obtained from the Sewage Collection and Treatment (SCAT) regulations. John Schofield opined that collection and conveyance for residential sewage systems needed to be developed and combined with the section for community systems. Joel Pinnix discussed prescriptive vs. performance criteria for collection and conveyance that focused on flows greater than 1,000 gallons per day (GPD) that would require a professional engineer (PE) to design. If this was considered performance, then this section would be a guidance document rather than a regulation. The prescriptive part would not need this level of information. A collection and conveyance regulation for large systems greater than 1,000 GPD that require a PE to design may not be needed. A collection and conveyance sewage system regulation for less than 1,000 GPD for residential needs to be developed. Don Alexander stated that systems greater than 1,000 GPD would need a PE to design but the system may not be considered performance. The criteria for collection and conveyance should be the same whether the sewage is going to a river or to a drain field. Also that we need a reliability component in the risk assessment part of the regulations. Joel Pinnix agreed to create a two page document that addresses collection and conveyance for performance sewage systems. Tom Basham stated that there are situations that need to be covered in the regulation such as ex: installation of a grinder pump for basement sewage prior to the septic tank, alarm location, separate wiring circuits for pump and alarm. Bob Mayor stated that the alarm should be wired on a separate circuit from the pump but be on the same circuit as a light fixture that is used daily. Mike Lynn asked if VDH could reference another regulation as part of this regulation. Allen Knapp was concerned about dispute resolution if VDH referenced another regulation. Joel Pinnix stated that VDH does not need a 25 page document for systems less than 1,000 GPD for AOSEs to use. A modification of what is in the current regulation would suffice. Don Alexander requested Joel Pinnix create bullets that addressed performance standard issues concerning collection and conveyance. Joel Pinnix stated he is willing to work with VDH on this issue.

Tom Basham announced the next meeting date of October 3rd 2008 at 10:00 AM.

Joel Pinnix made a motion to adjourn the meeting.

Mike Lynn seconds the motion. Meeting adjourned at 2:10 pm

The motion is passed.